IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 1575 of 2004 (S/S)

Smt. Hansha Bisht
W/o Shri B.S. Bisht

……. Petitioner

Versus

1. State of Uttaranchal
   through Secretary
   Rural Engineering Services.
2. Director –Cum- Chief Engineer,
   Rural Engineering Services,
   Uttaranchal, Dehradun.
3. Superintending Engineer,
   Rural Engineering Services,
   Dehradun.
4. Executive Engineer
   Rural Engineering Services, Almora.

…… Respondents

None for the petitioners.
Mr. Paresh Tripathi, learned Brief Holder for the State.

Hon'ble Prafulla C. Pant, J.

None present for the petitioner.

Learned Brief Holder is present for the State.

2) By means of this writ petition, the petitioner, who was engaged as work charge employee (Clerk) with the Rural Engineering Services Department, has sought her regularization in service.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in 2006 A.I.R.S.C.W. Page 1991,*** that daily wage workers and the persons employed without undergoing regular selection

process under the rules, should not be permitted to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioner.

4) Therefore, the writ petition is dismissed. Interim order, if any, stands vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: November 15, 2006
H.Negi